

03-01-05...

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/810,894
Filing Date: 03/16/2001
Applicant: Shinji Shibata
Group Art Unit: 2684
Examiner: Nick Corsaro
Title: RADIO COMMUNICATION DEVICE CAPABLE OF
GENERATING RINGER MELODY
Attorney Docket: 4041J-000625

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF ALLOWABILITY

Sir:

Applicant has reviewed the prosecution history of the above identified patent application, and we have identified that Applicant cited JP-U-2-57646 in an Information Disclosure Statement mailed March 8, 2004. On April 22, 2004, the Examiner indicated on page 2 of his Office Action that JP-U-2-57646 failed to comply with 37 CFR 1.98(a)(3) because the Examiner did not feel that a concise explanation of the relevance of this document was included.

In addition to JP-U-2-57646, an English translation of a February 3, 2004 Japanese Office Action in the corresponding Japanese application was provided to the

Examiner in the Information Disclosure Statement mailed March 8, 2004. In the translation of the Japanese Office Action, an explanation for the reasons for rejection using JP-U-2-57646 was provided. Applicant believes that this translation meets the requirements for the concise explanation and that Applicant is entitled to consideration of the JP-U-2-57646 reference.

Thus, Applicant respectfully requests the Examiner to consider this reference based on the English translation of the Japanese Office Action and provide Applicant with an indication that it has been considered.

CONCLUSION

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

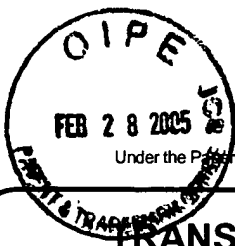
Respectfully submitted,

Dated: February 28, 2005

By: 
Michael J. Schmidt, 34,007

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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

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| | | |
|--|------------------------|----------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/810,894 |
| | Filing Date | 03/16/2001 |
| | First Named Inventor | Shinji Shibata |
| | Art Unit | 2684 |
| | Examiner Name | Nick Corsaro |
| Total Number of Pages in This Submission | Attorney Docket Number | 4041J-000625 |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard |
| Remarks | | The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|----------------------------------|-------------------------------------|--------------------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name Michael J. Schmidt | Reg. No. 34,007 |
| Signature | | | |
| Date | February 28, 2005 | | |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|--------------------|------------------------|-------------------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Michael J. Schmidt | Express Mail Label No. | EV 570 162 848 US (2/28/2005) |
| Signature | | Date | February 28, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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